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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : B. Coleman
C. AGOURIDAS et al :
Serial No.: 09/416,022 : Group: 1624
Filed: October 8, 1999 :
For: 2-HALOGENATED...ANTIBIOTIC USE:

600 Third Avenue
New York N.Y. 10016
February 13, 2002

PETITION FOR WITHDRAWAL FROM ISSUE

Asst. Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicants petition the Commissioner of Patents and Trademarks to withdraw the above application from issue in favor of the continuation application filed herewith. Applicants submitted a Rule 312 Amendment on December 17, 2001 but this was denied on the basis that the issue fee had already been paid.

The Rule 312 Amendment was filed in order to correct certain errors in the structural formulae of the application, both in the disclosure and in the claims. Granting of the petition is deemed necessary in order to avoid the publication of incorrect formulae which would not be beneficial to the public since the application contains some errors which were obvious, namely, the omission of R₂ and R₃ from Formulae IV and V and of R₂ and R₆ in Formula VI. Applicants are submitting herewith PTO Form-2038 authorizing the

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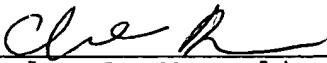
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\$130.00 petition fee. If any other fees are deemed necessary, it is requested that the same be charged to deposit account No. 02-2275 of the undersigned attorneys.

Respectfully submitted,
Bierman, Muserlian and Lucas

By: 
Charles A. Muserlian #19,683
Attorney for Applicants
Tel.# (212) 661-8000

CAM:ds
Enclosures